IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.196 OF 2006
IN
NOTICE OF MOTION NO.2765 OF 2003
IN
SUIT NO.1989 OF 19995

Sanjeev @ Sanjay S.Grover ....Appellant
V/s.
Vertex Trading Co. & Anr. ....Respondents

Mr.T.N. Subramaniam, Senior Counsel i/b Markand Gandhi & Co. for the Appellant.

Mr.Simil Purohit i/b Bhaishankar Kanga & Girdharilal for the Respondents.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 3RD MAY, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondents.

2. By this Appeal, the Appellant is challenging the order dated 7.10.2005. In view of the facts and circumstances and also in view of the fact that the proceedings before the Hon'ble Supreme Court have been withdrawn by the Respondents and also in view of the fact that the Appellant has taken out another Notice of Motion in the same suit being Notice of Motion No.648 of 2006, the present Appeal has become infructuous,

hence the Appeal stands dismissed. Needless to state that the aforesaid Notice of Motion No.648 of 2006 shall be heard strictly on its own merits and in accordance with law and not being influenced by the order dated 7.10.2005.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)